

## Appendix C

*Valid ✓  
Protecting Children...*

# GAMBLING COMMISSION

Mr M Savage-Brookes  
Environmental Health and Licensing  
2<sup>nd</sup> Floor Bartholomew House  
Bartholomew Square  
Brighton  
BN1 1JP

28 November 2014



Dear Mr Savage-Brookes,

**Review of premises licences 2010/00017/GAAGCN and 2009/01554/GABOT:  
representation submitted by responsible authority**

This representation is submitted to the Licensing Committee of Brighton and Hove City Council by the Gambling Commission as a responsible authority under section 157 of the Gambling Act 2005 (the Act), in accordance with section 200(5) of the Act, and in respect of the reviews of the premises licences held by:

- **Metrobet Bookmakers Limited, 56 Boundary Road, Hove, BN3 5TD**
- **C A Heal & Sons Amusements Limited, Regency Arcade, 64 West Street, Brighton, BN1 2RA**

The representation is made with reference to the third licensing objective at section 1(c) of the Act, specifically the objective of "protecting children.....from being harmed or exploited by gambling"; and to the Commission's codes of practice issued under section 24 of the Act, specifically the social responsibility code provision 3.2 concerning "access to gambling by children and young persons".

The Gambling Commission supported the test purchase operations conducted by Brighton and Hove City Council on 25 April 2014 and 9 October 2014, the latter to re-test licensees whose underage gambling controls had shown to be ineffective during the April operation. We were in attendance with the council on both days.

The Commission attaches a high priority to the prevention of underage gambling, as it is one of the key licensing objectives of the Act that children are protected from being harmed or exploited by gambling; it is the responsibility of gambling licensees to manage the risks to this objective that their premises may present. Section 46 of the Act makes it an offence to permit a child or young person to gamble, and section 47 makes it an offence to permit a child or young person to enter a betting or adult gaming centre premises.

The Commission's Licence Conditions and Codes of Practice (code provision 3.2) require betting and adult gaming centre licensees to have policies and procedures in place to prevent underage gambling, and to monitor the effectiveness of these. Many gambling operators provide the Commission with frequent, robust evidence that they are monitoring their controls, for example through the commissioning of independent test purchasing of their premises. However, the Commission works with licensing authorities across England and Wales to conduct test purchasing among licensees who do not provide it with such evidence. All of the betting, bingo and adult gaming centre licensees tested on 25 April 2014 had been identified by the Commission and Brighton and Hove council as those that do not provide such evidence. Test purchasing is therefore one means by which the Commission and licensing authorities will measure the effectiveness of licensees' underage gambling controls, in the absence of adequate data provided by licensees themselves.

The results in Brighton and Hove are reflective of the test purchase results from other parts of England and Wales, and the Commission encourages regulatory action by licensing authorities where local gambling licensees fail to improve their controls. The Commission's press notice published on 2 September 2014 warned all gambling licensees that "...local authorities are reminding the operators that if they fail to voluntarily deliver improvements, or if their gambling premises fail a further test purchase, then they may be subject to a review of their premises licence which could culminate in the imposition of stricter licence conditions or the suspension or revocation of their premises licence".

The Commission therefore supports the reviews of these premises licences by Brighton and Hove council in view of the weaknesses in underage gambling controls that were demonstrated at these gambling premises in the April and October test purchase operations.

Yours sincerely



Matthew Hill  
Director  
Gambling Commission